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 Attorneys for Defendant

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

LATOYA DEANN JOHNSON,	)	No. 4:12-cv-05291-DMR
	)	
Plaintiff,	)	
vs.	)	<b>STIPULATION FOR AWARD OF EAJA</b>
	)	<b>FEES</b>
	)	
CAROLYN W. COLVIN, Acting	)	
Commissioner of Social Security,	)	
_____	)	

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of SIX THOUSAND DOLLARS AND 00/100 (\$6,000.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920, 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v. Ratliff, 130 S. Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to

1 any offset.

2 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that  
3 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees, to be  
4 made directly to the Homeless Action Center, pursuant to the assignment executed by Plaintiff. Any  
5 payments made shall be delivered to Plaintiff's counsel.

6 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney  
7 fees and does not constitute an admission of liability on the part of Defendant under the EAJA.  
8 Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims  
9 that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees connection with this  
10 action.

11 Respectfully submitted,

12 Dated: October 18, 2013

13 /s/ Ron S. Hochbaum\*  
14 RON S. HOCHBAUM  
15 Attorney for Plaintiff  
16 (\*by email authorization)

17 MELINDA L. HAAG  
18 United States Attorney  
19 GRACE M. KIM  
20 Regional Chief Counsel

21 Date: October 22, 2013

22 By: /s/ Paul Sachelari  
23 PAUL SACHELARI  
24 Special Assistant United States Attorney  
25 Attorneys for Defendant

26 PURSUANT TO STIPULATION, IT IS SO ORDERED

27 Dated:  
28 October 23, 2013

  
\_\_\_\_\_  
DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE